



**CITY OF LODI
COUNCIL COMMUNICATION**

AGENDA TITLE: Adopt Resolution to Revise the Current Abatement Fee Schedule
MEETING DATE: February 7, 2007
PREPARED BY: Community Improvement Manager


RECOMMENDED ACTION: That the City Council adopt by Resolution the attached Abatement Fee Schedule.

BACKGROUND INFORMATION: On December 20, 2000, the City Council adopted a Resolution establishing an Abatement Fee Schedule and Policies and Procedures for Rotating Abatement Contractor Listing. On April 7, 2004, that Abatement Fee Schedule was revised to account for an increase in material costs, namely the cost of plywood board-up material, which had changed significantly since the date that the fee schedule was established.

Since its inception, the Abatement Fee Schedule has helped to expedite code enforcement activities requiring the boarding up of vacant, unsecured buildings and the removal of garbage, junk and debris in those cases where the owner has failed to voluntarily secure or clean up their properties after having been given due notice. The standardized fees based upon the size of window or door openings have streamlined the abatement process considerably and have ensured that costs assessed against properties are reasonable.

However, since the inception of this fee schedule there have been no adjustments to the labor-related costs associated with either the board-up or lot clean-up abatement activities. Therefore, a property owner facing an abatement action is likely to find that it would be cheaper to have the City do the abatement rather than contracting with someone who would be charging a more current labor rate. While it is appropriate to keep abatement costs within reason, we should not create a condition where there is an incentive for property owners to rely on the City for the abatement of these conditions, as that creates a burden and additional workload for code enforcement personnel, and is contrary to our desire to achieve voluntary compliance.

The contractors participating in our rotating abatement list have also voiced concern that they cannot continue to participate in our abatement program without an adjustment to the labor-related costs of the fee schedule. Those adjustments are noted in the following summary. Add to that the increase in dumping fees and special charges for disposal of materials that are now classified as either household hazardous waste or require special handling at the dump/transfer facility, staff feels that a review and revision of the current Abatement Fee Schedule, as referenced in Exhibit A, is warranted.

APPROVED: 
Blair King, City Manager

A summary of those revisions is as follows:

Fees for Securing Structures

- **Items 1-9** address the actual board-up of unsecured openings. These fees are based upon both the time and the material necessary to board-up and secure the opening. An average adjustment of 18% is recommended to accommodate an increase in labor costs in these fees.
- **Items 10-17** address the actual replacement of doors as a means of securing a building. There is a substantial increase in these fees (an average of 36%) for replacement of garage doors and sliding glass doors from what was originally established in 2000. This is based upon the average of actual quotes that were received for that work to be done. It should be noted that this portion of the Fee Schedule is rarely used, but should still remain as an abatement option.

Property Clean Ups

- **Items 18 & 19** originally differentiated between the clean up of either junk and debris or weeds and shrubbery with different hourly rates. It has been found during actual clean ups that the abatement of junk and debris is usually done in conjunction with weeds and shrubbery, so it is not practical to have a separate hourly rate for each. An hourly rate of \$65 is proposed to be reasonable to accommodate the increase in labor costs since 2000.

Miscellaneous Abatement Costs

- **Items 20-22** have been added to the fee schedule to accommodate the additional costs that are being incurred in the disposal of garbage, junk and debris in the course of an abatement action. This will represent the actual costs based upon either the quote for equipment rental or the current dump fee schedule.

FISCAL IMPACT:

The increase in abatement costs is passed directly to the property owner/responsible party. It is likely that the increase in these abatement costs will act as an incentive for voluntary compliance, thereby reducing the amount of abatement funds expended each year.

FUNDING AVAILABLE:

Repair and Demolition Fund


Kirk Evans, Budget Manager


Joseph Wood
Community Improvement Manager

Concurred: 
Randy Hatch
Community Development Director

Attachment

(April 2004)

SECURING STRUCTURES

EXHIBIT A

RESOLUTION NO. 2007-19

A RESOLUTION OF THE LODI CITY COUNCIL
ADOPTING AN AMENDMENT TO THE CODE
ENFORCEMENT ABATEMENT FEE SCHEDULE

WHEREAS, the Lodi Municipal Code requires the City Council, by resolution, to set fees for various services provided by the City of Lodi to recover those costs associated with providing specific services and programs; and

WHEREAS, as part of the Code Enforcement function in eliminating blight, nuisances, and substandard and dangerous building conditions, the Community Development/Community Improvement Division issues orders requiring the board-up and securing of vacant structures as well as the removal and clean up of garbage, junk, and debris from yard areas; and

WHEREAS, vacant, unsecured structures are required to be boarded up within one to ten days, depending on the severity of the hazardous condition; and

WHEREAS, currently, in the event that the structure is not secured or the yards are not cleaned voluntarily within the required time frame, the bid process is initiated in order to allow the City to have the work done and have costs billed to the property owner; and

WHEREAS, the City Council adopted Resolution No. 2000-235 on December 20, 2000, approving the Abatement Fee Schedule, and further adopted Resolution No. 2004-62 on April 7, 2004, amending the fee schedule to reflect increase in materials costs; and

WHEREAS, there has been no adjustments to the labor-related costs associated with either the board-up or lot clean-up abatement activities since the inception of the Abatement Fee Schedule, and staff now recommends increasing the Abatement Fee Schedule as shown on Exhibit A attached hereto.

NOW, THEREFORE, BE IT RESOLVED that the City Council finds as follows:

1. That the increase in the Abatement Fee Schedule is hereby approved as shown on Exhibit A attached and made a part hereof; and
2. All resolutions or parts of resolutions in conflict herewith are repealed insofar as such conflict may exist; and
3. This resolution shall be published one time in the "Lodi News-Sentinel," a daily newspaper of general circulation printed and published in the City of Lodi, and shall be in force and take effect immediately upon its adoption.

Dated: February 7, 2007

I hereby certify that Resolution No. 2007-19 was passed and adopted by the City Council of the City of Lodi in a regular meeting held February 7, 2007, by the following vote:

AYES: COUNCIL MEMBERS – Hansen, Hitchcock, Katzakian, Mounce, and Mayor Johnson
NOES: COUNCIL MEMBERS – None
ABSENT: COUNCIL MEMBERS – None
ABSTAIN: COUNCIL MEMBERS – None


RANDI JOHL
City Clerk

CITY OF LODI
COMMUNITY DEVELOPMENT DEPARTMENT
ABATEMENT FEE SCHEDULE FOR ROTATING CONTRACTOR LIST

| ITEM # | ITEM DESCRIPTION | Proposed Fee |
|--------|---|--------------|
| | <u>SECURING STRUCTURES</u> | |
| 1. | Plywood Board-Up, Door, 4'x8' | \$95 |
| 2. | Plywood Board-Up, Double Door, 8'x8' | \$200 |
| 3. | Plywood Board-Up, Window, <2'6"x 4' | \$65 |
| 4. | Plywood Board-Up, Window, <4'x4' | \$75 |
| 5. | Plywood Board-Up, Window, <4'x6' | \$85 |
| 6. | Plywood Board-Up, Window, <4'x8' | \$95 |
| 7. | Plywood Board-Up, Window, <8'x8' | \$200 |
| 8. | Plywood Board-Up, Crawl Space Opening | \$65 |
| 9. | Plywood Board Up, Exterior Basement Door, 6'x7' <i>Using 3/4" Material</i> | \$250 |
| 10. | Replace Single Car Garage Door | \$450 |
| 11. | Replace Double Car Garage Door | \$700 |
| 12. | Replace Sliding Glass Door, 6' | \$400 |
| 13. | Replace Wood Basement Door, 6'x5' | \$200 |
| 14. | Replace Front Double Wood Entry Doors | \$500 |
| 15. | Replace Garage Pedestrian Door | \$200 |
| 16. | Replace Under Floor Vents | \$50 |
| 17. | Replace Attic Vents | \$50 |
| | | |
| | <u>PROPERTY CLEAN UPS</u> | |
| 18. | Remove Garbage, Junk and Debris (hourly rate) | \$65 |
| 19. | Remove Weeds and Shrubbery (hourly rate) | \$65 |
| | | |
| | <u>MISCELLANEOUS ABATEMENT COSTS</u> | |
| 20. | Equipment Rental Costs (per quote) | |
| 21. | Standard Dump Fees (based upon actual costs) | |
| 22. | Additional Dump Fees (based upon actual costs) | |
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| | | |
| | | |

Note: Items 18 & 19 to be combined as one hourly rate for property clean ups.
Items 21 & 22 will be listed based upon actual fees posted at the disposal facility.



***Please immediately confirm receipt
of this fax by calling 333-6702***

CITY OF LODI
P. O. BOX 3006
LODI, CALIFORNIA 95241-1910

ADVERTISING INSTRUCTIONS

SUBJECT: RESOLUTION AMENDING THE CODE ENFORCEMENT ABATEMENT FEE
SCHEDULE

LEGAL AD


PUBLISH DATE: SATURDAY, FEBRUARY 10, 2007

TEAR SHEETS WANTED: Three (3) please

SEND AFFIDAVIT AND BILL TO: RANDI JOHL, CITY CLERK
City of Lodi
P.O. Box 3006
Lodi, CA 95241-1910

DATED: THURSDAY, FEBRUARY 8, 2007

ORDERED BY: RANDI JOHL
CITY CLERK


JENNIFER M. PERRIN, CMC
DEPUTY CITY CLERK

DANA R. CHAPMAN
ADMINISTRATIVE CLERK

Verify Appearance of this Legal in the Newspaper – Copy to File

| | |
|-----|---|
| LNS | Faxed to the Sentinel at 369-1084 at 2:45pm (time) on 2/8/07 (date) 3 (pages) |
| | Phoned to confirm receipt of all pages at _____ (time) JLT DRC JMP (initials) |

PROOF OF PUBLICATION

(2015.5 C.C.C.P.)

STATE OF CALIFORNIA

County of San Joaquin

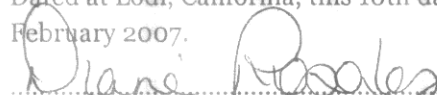
I am a citizen of the United States and a resident of the County aforesaid: I am over the age of eighteen years and not a party to or interested in the above entitled matter. I am the principal clerk of the printer of the Lodi News-Sentinel, a newspaper of general circulation, printed and published daily except Sundays and holidays, in the City of Lodi, California, County of San Joaquin and which newspaper had been adjudicated a newspaper of general circulation by the Superior Court, Department 3, of the County of San Joaquin, State of California, under the date of May 26th, 1953. Case Number 65990; that the notice of which the annexed is a printed copy (set in type not smaller than non-pareil) has been published in each regular and entire issue of said newspaper and not in any supplement thereto on the following dates to-wit:

February 10th,

all in the year 2007.

I certify (or declare) under the penalty of perjury that the foregoing is true and correct.

Dated at Lodi, California, this 10th day of February 2007.


Signature

This space is for the County Clerk's Filing Stamp

Proof of Publication

Resolution Amending the Code Enforcement Abatement Fee Schedule

RESOLUTION NO. 2007-19

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February 10, 2007 - 05514370